



Docket No.: M4065.0227/P227  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Tongbi Jiang, et al

Application No.: 09/652,216

Filed: August 30, 2000

For: METHOD AND APPARATUS FOR  
REDUCING SUBSTRATE BIAS VOLTAGE  
DROP

Group Art Unit: 2813

Examiner: E. Pert

#13  
election

M. Marillon  
4/15/03

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RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Election of Species Requirement issued on March 11, 2003 (Paper No. 12), Applicants provisionally elect Species II: methods/products involving a biased metal layer "on" a back side, and respectfully traverses the Restriction Requirement.

Paper No. 12 withdraws the Restriction Requirement made in Paper No. 3, mailed October 18, 2001, and issues a new Election of Species Requirement. Applicant herewith traverses the issuance of the new Election of Species Requirement, and urges that all claims of the application should now be treated together. Applicant respectfully notes that the Restriction Requirement of Paper No. 3 was made more than two years ago, and that extensive prosecution activity has taken place in the interim. This prosecution activity includes the issuance by the Patent Office of two (2) substantive Office Actions, dated December 21, 2001 and September 3, 2003, and the preparation and filing of

corresponding responses by the Applicant. Applicant further notes that a search was conducted by the Patent Office in relation to each of the two substantive Office Actions, as evidenced by the attachment to each Office Action of a respective Notice of References Cited indicating several references.

The MPEP indicates that “if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.” MPEP § 803. Applicant respectfully submits that the prior issuance of two Office Actions, each accompanied by a search, clearly indicates that “search and examination of the entire application can be made without serious burden.” Further, Applicant asserts that compliance with the pending Office Action would impose a serious burden upon the Applicant inasmuch as claims already extensively considered would have to be treated again in a Divisional Application. Accordingly, Applicant respectfully urges that the now-pending Election of Species Requirement be withdrawn, and all claims of the application be examined together. In the alternative, Applicant urges that the now pending Election of Species Requirement be withdrawn, and that the previously elected claims be examined together.

Inasmuch as the claims in the application are now believed to be immediate condition for allowance, Applicant respectfully solicits withdrawal of all pending rejections, and prompt passage of the application to issue.

Dated: April 11, 2003

Respectfully submitted,

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